

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

THE COLORWORKS, INC.,

Petitioner,

v.

ORDER

SCOTT D. HAIN,

05-CV-591S

Respondent.

1. On August 18, 2005, Petitioner The ColorWorks, Inc. petitioned this Court to stay an arbitration proceeding commenced by Scott D. Hain on June 10, 2005 pending this Court's resolution of Hain's appeal from an Order issued on December 23, 2004 by the Honorable Carl L. Bucki, Bankruptcy Court Judge for the Western District of New York (see, 05-CV-119S).

2. Respondent Hain cross-moved to compel arbitration on September 12, 2005 (Docket No. 5).

3. This Court issued its Decision and Order on Hain's appeal from the Bankruptcy Court decision on March 29, 2006. Accordingly, the Petition to Stay and Cross-Motion to Compel are now moot.

IT HEREBY IS ORDERED, that The ColorWorks, Inc.'s Petition to Stay Arbitration (Docket No. 1) is DENIED as moot.

FURTHER, that Scott D. Hain's Cross-Motion to Compel Arbitration (Docket No. 5) is DENIED as moot.

FURTHER, that the Clerk of the Court is directed to take the necessary steps to close this case.

SO ORDERED.

Dated: March 29, 2006
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge